

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, January 22, 2013, 7:00 PM
Large Court Room – City Hall

PRESENT: Board of Mayor and Aldermen
Mayor Dennis R. Phillips, Presiding Vice-Mayor Tom C. Parham
Alderman Valerie Joh Alderman Tom Segelhorst
Alderman Mike McIntire Alderman Jantry Shupe

City Administration
John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Mended Little Hearts Club.
- II.B. **INVOCATION:** Mr. Russ Pierson, Minister of Youth – First Presbyterian Church.
- III. **ROLL CALL:** By City Recorder Demming. Absent: Alderman John Clark.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 - 1. Lee Davis Family – This family was recognized for setting up a “Friends of the Aquatic Center Fund” that will allow individuals the opportunity to obtain a scholarship so they can participate at the Aquatic Center.
 - 2. Congenital Heart Defect Awareness – Ms. Agnes Rhodes provided information on this issue, noting the week of February 7-14 will be designated to raise the awareness of this disease for local families.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Parham/Joh, to approve minutes for the following meetings:

- A. January 7, 2013 Regular Work Session
- B. January 8, 2013 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Annex/Amend the Zoning of the Lamberth Street Annexation and Consideration of a Resolution Adopting the Plan of Services** (AF: 21-2013). City Planner Ken Weems gave a presentation on this item, noting this was vacant land and being requested by the owner.

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PUBLIC COMMENT ON ITEM VI.AA.1. None.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 10TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE LAMBERTH STREET ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Segelhorst, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG LAMBERTH STREET TO R-1B, RESIDENTIAL DISTRICT IN THE 10TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2013-111, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE LAMBERTH STREET ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

2. Conduct a Public Hearing and Consideration of an Ordinance to Rezone Property along Fort Henry Drive to B-3, General Business District (AF: 13-2013). City Planner Forrest Koder gave a brief presentation on this item, noting this item, along with the next item, were the last two parcels to be rezoned that do not meet the new TAC zone requirements. He confirmed the proposed zoning is within the long-range land use plan and this was unanimously recommended by the Planning Commission.

PUBLIC COMMENT ON ITEM VI.AA.2. None.

Motion/Second: McIntire/Shupe, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG FORT HENRY DRIVE TAX MAP 92N, GROUP C, PARCELS 5.00 AND 10.00 TO B-3, GENERAL BUSINESS DISTRICT, IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

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3. Conduct a Public Hearing and Consideration of an Ordinance to Rezone Property along South John B. Dennis Highway and Old Wilcox Drive to BC, Business Conference District (AF: 14-2013). City Planner Forrest Koder gave a brief presentation on this item. He stated there was only one call from the public and it was a question of whether a hotel could still be placed in the new zone.

PUBLIC COMMENT ON ITEM VI.AA.3. None.

Motion/Second: McIntire/Shupe, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG SOUTH JOHN B. DENNIS HIGHWAY AND OLD WILCOX DRIVE TAX MAP 76I, PARCELS 5.00, 5.10 and A PORTION OF PARCEL 6.00 TO BC, BUSINESS CONFERENCE DISTRICT, IN THE 13TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed: All present voting "aye."

4. Public Hearing for Annexation Annual Plan of Services Report (AF: 16-2013). City Planner Forrest Koder gave a brief presentation on this item, stating this report included seven areas, six annual reports and one six month report. He pointed out they were almost completed, with the street lighting being the only element lacking.

PUBLIC COMMENT ON ITEM VI.AA.4. None.

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING

1. Consideration of a Budget Ordinance Regarding MPO11B Resurfacing of Granby Road, Lewis Lane, and University Boulevard; and a Resolution Awarding the Bid for the Resurfacing of Granby Road, Lewis Lane, and University Boulevard Project to W-L Construction & Paving Inc. and Authorize the Mayor to Sign All Applicable Documents (AF: 27-2013).

Motion/Second: Segelhorst/Joh, to pass:

AN ORDINANCE TO AMEND THE METROPOLITAN PLANNING BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

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Motion/Second: Joh/Shupe, to pass:

Resolution No. 2013-112, A RESOLUTION AWARDING THE BID FOR RESURFACING OF GRANBY ROAD, LEWIS LANE AND UNIVERSITY BOULEVARD PROJECT TO W-L CONSTRUCTION & PAVING, INC. AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

2. Consideration of an Ordinance to Amend the Water Project Fund Budget (WA1300) by Reallocating from Other Water Projects (AF: 25-2013).

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGET BY TRANSFERRING FUNDS TO THE KONNAROCK-TRUXTON WATERLINE UPGRADE PROJECT; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. NONE.

D. OTHER BUSINESS.

1. Consideration of a Resolution Awarding the Bid for Konnarock Road – Warpath Drive and Truxton Drive Waterline Improvements and Authorize the Mayor to Sign All Applicable Documents (AF: 24-2013).

Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2013-113, A RESOLUTION AWARDING THE BID FOR KONNAROCK ROAD-WARPATH DRIVE AND TRUXTON DRIVE WATERLINE IMPROVEMENTS TO TIPTON CONSTRUCTION COMPANY AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

2. Consideration of a Resolution Accepting a Contract Amendment with the Tennessee Department of Transportation for Development of a Transportation Planning Report on the Proposed Stone Drive – Netherland Inn Road "Connector" Project (AF: 28-2013). City Manager Campbell provided information on this item, commenting on the amended state requirements on environmental planning. He stated an environmental review is required by the federal government. At the request of the mayor, Mr. Campbell gave further details on the proposed project, noting it is still a long process and we are at least three years away from construction.

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Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2013-114, A RESOLUTION APPROVING A CONTRACT AMENDMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE DEVELOPMENT OF A TRANSPORTATION PLANNING REPORT ON THE PROPOSED STONE DRIVE-NETHERLAND INN ROAD CONNECTOR AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT AMENDMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE CONTRACT AMENDMENT

Passed: All present voting "aye."

3. Consideration of a Resolution Extending the Current Contract with Redflex Traffic Systems, Incorporated (AF: 26-2013). City Manager Campbell gave details on this item and stated the cameras were cost effective and a strong safety approach. Mayor Phillips commented on the report presented by Officer Dale Farmer at the work session, noting the cameras were not just a monetary benefit but that citations were down. He also pointed out the cameras have assisted in crash investigations.

Motion/Second: McIntire/Joh, to pass:

Resolution No. 2013-115, A RESOLUTION EXTENDING THE AGREEMENT WITH REDFLEX TRAFFIC SYSTEMS, INC. FOR TRAFFIC PHOTO ENFORCEMENT AND AUTHORIZING THE MAYOR TO EXECUTE ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

4. Consideration of a Resolution Authorizing the Mayor to Sign All Documents Necessary to Apply for and Receive a Tennessee Transportation Grant from the Tennessee Department of Transportation (AF: 32-2012).

Motion/Second: Shupe/Parham, to pass:

Resolution No. 2013-116, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE TRANSPORTATION GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE GREENBELT PROJECT

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Mayor to Execute Agreements Between the City of Kingsport and the Lynn Garden Optimist Club and the Lynn View Pee Wee Football (AF: 29-2013).

Motion/Second: Shupe/Joh, to pass:

Resolution No. 2013-117, A RESOLUTION AUTHORIZING THE MAYOR EXECUTE AGREEMENTS WITH THE LYNN GARDEN OPTIMIST CLUB RELATED TO THE USE OF THE ATHLETIC FIELDS AND CONCESSION STAND OPERATIONS AT THE LYNN VIEW COMMUNITY CENTER

Passed: All present voting "aye."

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Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2013-118, A RESOLUTION AUTHORIZING THE MAYOR EXECUTE AGREEMENTS WITH LYNN VIEW PEE WEE FOOTBALL RELATED TO THE USE OF THE ATHLETIC FIELDS AND CONCESSION STAND OPERATIONS AT THE LYNN VIEW COMMUNITY CENTER

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

VII. CONSENT AGENDA. None. *(These items are considered under one motion.)*

Motion/Second: Parham/McIntire, to adopt:

1. Consideration of a Budget Ordinance Authorizing the Transfer of Visitor Enhancement Program Funds to the Kingsport Convention and Visitors Bureau (AF: 15-2013).

Adopt:

Ordinance No. 6283, AN ORDINANCE TO AMEND THE VISITORS ENHANCEMENT FUND OPERATING BUDGET BY APPROPRIATING FUNDS TO THE KINGSFORT CONVENTION AND VISITORS BUREAU FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

2. Consideration of an Ordinance to Establish the Aquatic Center Operating Budget (AF: 17-2013).

Adopt:

Ordinance No. 6284, AN ORDINANCE TO ESTABLISH THE AQUATIC CENTER FUND BUDGET FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

3. Consideration of Approval of Offers for Easements and Right-of-Ways for Rock Springs Sanitary Sewer Expansion Project – Hidden Acres and Peppertree Area – Phase 2 (AF: 23-2012).

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR ROCK SPRINGS SANITARY SEWER EXPANSION PROJECT – HIDDEN ACRES AND PEPPERTREE AREA – PHASE 2

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

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VIII. COMMUNICATIONS.

A. **CITY MANAGER.** Mr. Campbell complimented the public works department for their response to the rapid snow we received last Thursday. He also stated the DB Band is due back later tonight after their outstanding performance in Washington D.C. yesterday at the presidential inauguration.

B. **MAYOR AND BOARD MEMBERS.** Alderman McIntire echoed Mr. Campbell's remarks about the city workers last week, specifically public works and the police department.

Alderman Shupe concurred about staff and also congratulated the band.

Alderman Joh stated we were glad to have Kari Matheney on board as the director of new Aquatic Center. Alderman Joh also introduced her daughter, Ms. Collette George, who is running for Alderman.

Alderman Segelhorst stated his appreciation for public works, public safety and everyone involved during the storm. He also thanked the Mended Little Hearts Club and the Davis family.



Vice-Mayor Parham thanked Vic Davis and his family. He also commented on the excellent report given at the work session on the Aquatic Center, pointing out it was on schedule and on budget.


Mayor Phillips gave an update on the band's return, noting they should be back around 8:30 p.m. He encouraged people to be there at the school to welcome them home.

C. **VISITORS.** Ms. Agnes Rhodes thanked the BMA for the proclamation regarding the upcoming Congenital Heart Defect Awareness Week.

Mr. Glen O'Neal commented on a police report involving a KATS bus.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:15 p.m.


ANGIE MARSHALL
Deputy City Recorder



DENNIS R. PHILLIPS
Mayor